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Consumer protection: guidelines for sustainable consumption

Report of the Secretary-General

I. Background

1. The General Assembly adopted the guidelines for consumer protection in its resolution 39/248 of 9 April 1985. The guidelines constitute a comprehensive policy framework outlining what Governments can do to promote consumer protection in such areas as safety, economic interests of consumers, quality and distribution of goods and services, consumer education and information, and redress.

2. The guidelines provide an internationally recognized set of basic objectives, and were particularly designed for the Governments of developing and newly independent countries to use in structuring and strengthening consumer protection policies and legislation. The guidelines recognize that consumers often face imbalances in economic terms, education levels, and bargaining power, and bear in mind that consumers should have the right of access to non-hazardous products, as well as the importance of promoting just, equitable and sustainable economic and social development (see Assembly resolution 39/248, annex, para. 1).

3. More recently, there has been increasing concern with the linkages between consumption patterns and environmental protection, including discussions on the need to change consumption and production patterns to promote sustainable development. Agenda 21, adopted at the 1992 United Nations Conference on Environment and Development, includes a chapter entitled "Changing consumption patterns". As part of the implementation of Agenda 21, in 1995 the Commission on Sustainable Development established an international work programme on changing consumption and production patterns.

4. In 1995, the Commission on Sustainable Development also recommended that the guidelines for consumer protection be expanded to include guidelines on sustainable consumption patterns.[1] In its resolution 1995/53, the Economic and Social Council requested the Secretary-General to elaborate guidelines in the area of sustainable consumption patterns.

5. In its resolution 1997/53, the Council welcomed the several initiatives of the United Nations, in partnership with international consumer organizations, donors and host Governments, in convening regional conferences on consumer protection to foster the implementation of the guidelines and initiate the process of revising the guidelines and extending them into the area of sustainable consumption patterns and other possible areas.

6. The Council also requested the Secretary-General to continue work on the elaboration of the guidelines to cover sustainable consumption patterns through the convening of an interregional expert group meeting in collaboration with interested Governments, Consumers International and other concerned entities active in this field, taking into account the recommendations emanating from regional conferences on consumer protection. The Council recommended that the interregional expert group meeting elaborate specific

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recommendations for guidelines for sustainable consumption patterns for submission to the Council at its substantive session of 1998, through the Commission on Sustainable Development at its sixth session.

7. In response to the request of the Council, the Interregional Expert Group Meeting on Consumer Protection and Sustainable Consumption was convened at São Paulo, Brazil, from 28 to 30 January 1998. The meeting was organized by the Department of Economic and Social Affairs of the United Nations Secretariat, and was hosted by the environment secretariat of the state of São Paulo and the Latin American Parliament. As requested by the Commission on Sustainable Development and the Economic and Social Council, Consumers International assisted in the substantive preparations for the meeting, taking into account the recommendations of regional conferences on consumer protection.

II. Development and implementation of the guidelines

8. In many countries, concern about consumer protection has grown in recent years, and Governments and consumer groups have become interested in the ideas and experiences of other countries. The guidelines for consumer protection, which are based on the experiences of many developed and developing countries, have assisted Governments in the identification of priorities. Economic growth in some countries, market liberalization in many countries, and democratic political reforms and the strengthening of civil society have all contributed to the interest in consumer protection. In response to requests from the Economic and Social Council, the Secretary-General has submitted two reports on progress achieved in the implementation of the guidelines since 1985 (E/1995/70 and E/1997/61).

9. The guidelines have responded to the growing international interest in consumer protection, and have contributed to that growth. In Africa, at the time of the adoption of the guidelines in 1985, six consumer organizations in four countries had been established; today, more than 40 African countries are host to more than 80 consumer organizations. Consumer rights are legally recognized in 13 Latin American and Caribbean nations, and in 7 of those countries they are also included in the Constitution. In Central America, four countries have created or strengthened legal norms in this area in recent years.

10. Although the majority of developed countries have institutional and regulatory frameworks in the field of consumer policy that generally cover the elements of the guidelines, the guidelines have been used as a reference for review and assessment of consumer protection policy in a number of those countries.

11. With increased recognition of the link between consumption patterns and environmental sustainability, a number of Governments and many consumer organizations have focused on extending consumer protection policies and programmes to cover environmental protection and other sustainable consumption issues.

12. The present report, which is based on the work of the Interregional Expert Group Meeting, has been prepared to assist the Commission on Sustainable Development and the Economic and Social Council in their consideration of the expansion of the guidelines for consumer protection to include guidelines for sustainable consumption patterns.

13. The report of the Co-Chairmen on the Interregional Expert Group Meeting is contained in the annex to the present report; it includes proposed new elements on sustainable consumption for addition to the guidelines for consumer protection.

Notes

[1] *Official Records of the Economic and Social Council, 1995, Supplement No. 12* (E/1995/32), para. 45, sect. E.

Annex

Report of the Co-Chairmen on the Interregional Expert Group Meeting on Consumer Protection and Sustainable Consumption

(São Paulo, Brazil, 28-30 January 1998)

I. Organization of the Meeting

1. In accordance with Economic and Social Council resolution 1997/53, the Department of Economic and Social Affairs of the United Nations Secretariat, in cooperation with the environment secretariat of the state government of São Paulo, convened the Interregional Expert Group Meeting on Consumer Protection and Sustainable Consumption at São Paulo, Brazil, from 28 to 30 January 1998. Approximately 50 people participated, including representatives of Governments, consumer organizations, business and industry, academics, non-governmental organizations and international organizations.

2. The Meeting was chaired by Ambassador Celso Amorim, Permanent Representative of Brazil to the United Nations, and Mr. Fabio Feldman, Secretary of the environment secretariat of the state government of São Paulo.

3. The work of the Meeting, which was conducted in plenary and working group sessions, focused on a background paper prepared for the meeting by the Division for Sustainable Development of the United Nations Secretariat, including proposed new guidelines prepared by Consumers International on the basis of extensive regional consultations. During the Meeting, additional proposals were presented and considered.

4. The Meeting did not attempt to reach consensus on precise wording for new guidelines but focused on identifying the issues relating to sustainable consumption that should be incorporated into consumer protection policy and making recommendations on how they might be effectively addressed.

5. The Meeting focused on issues related to sustainable consumption. It did not review or revise the existing text of the guidelines or consider other areas in which the guidelines might be extended. In some cases, however, it appeared that sustainable consumption could best be integrated into the guidelines by introducing additional words into existing paragraphs, without otherwise changing the existing text.

6. The present report is a summary by the Co-Chairmen of the work of the Meeting; it contains the general conclusions of the Meeting (sect. II below) and proposed new elements on sustainable consumption for addition to the guidelines for consumer protection (appendix).

II. General conclusions of the Meeting

7. Sustainable consumption is an essential part of sustainable development and is closely tied to sustainable production. Sustainable production concerns the supply side, focusing on the economic, social and environmental impact of production processes, while sustainable consumption addresses the demand side, focusing on consumers' choices of goods and services, such as food, shelter, clothing, mobility and leisure, to fulfil basic needs and improve the quality of life.

8. Measures to promote sustainable consumption affect not only the products and services directly used by consumers, but also the energy and materials consumed in production processes and the wastes generated throughout the product life cycle, from raw material extraction through disposal or reuse.

9. In promoting sustainable consumption, Governments should act in partnership with all members of society. Particular attention should be paid to the significant role played by women and households as consumers. Governments should actively support consumer organizations and other organizations of civil society in promoting sustainable consumption.

10. To achieve more sustainable consumption, it is crucial to promote public participation in policy-making for the management and use of natural resources that are essential for meeting basic human needs, in particular freshwater, land and ocean resources.

11. Sustainable consumption requires that consumers, communities, businesses and organizations of civil society be aware of the potential environmental effects of products and services, including local and global impacts. Information, infrastructure and facilities should be available to consumers wishing to change their consumption patterns.

12. Consumer empowerment for sustainable consumption requires both informed choice and preventive and remedial mechanisms in cases of wrongdoing.

13. As indicated in paragraph 8 of the guidelines, in applying any procedures or regulations for consumer protection, including sustainable consumption, due regard should be given to ensuring that they do not become barriers to international trade and that they are consistent with international trade obligations.

14. Recognizing that the major cause of the continued deterioration of the global environment is the unsustainable pattern of consumption and production, particularly in industrialized countries, Governments should cooperate in changing consumption patterns at the global level. In so doing, they should be guided by the principle of common but differentiated responsibilities and the equitable sharing among the world population of environmental resources and the environment's capacity to absorb waste.

15. Developed countries should support developing countries in promoting sustainable development and consumption, in particular through financial assistance, transfer of environmentally sound technologies, support for indigenous research and development capabilities, and better access to markets.

16. Governments should fulfil their obligations under international environmental agreements, including the Montreal Protocol on Substances that Deplete the Ozone Layer, the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and Agenda 21.

17. A review and revision mechanism for these guidelines should be established under the aegis of the United Nations so as to assess progress in their implementation by Member States and to revise them as necessary. The Secretary-General should report regularly on the status of their implementation. Technical assistance should be made available to countries that may encounter difficulties in collecting and processing the required data.

Appendix

Guidelines for consumer protection with proposed new elements on sustainable consumption

Note: The following is the text of the guidelines for consumer protection, as adopted by the General Assembly in 1985 (resolution 39/248, annex), with additions (in bold type) proposed on the basis of the work of the Expert Group Meeting on Consumer Protection and Sustainable Consumption; the original paragraph numbers of the guidelines have been retained for reference.

I. Objectives

1. Taking into account the interests and needs of consumers in all countries, particularly those in developing countries; recognizing that consumers often face imbalances in economic terms, educational levels, and bargaining power; and bearing in mind that consumers should have the right of access to non-hazardous products, as well as the right to promote just, equitable and sustainable economic and social development **and environmental protection,** these guidelines for consumer protection have the following objectives:

(a) To assist countries in achieving or maintaining adequate protection for their population as consumers;

(b) To facilitate production and distribution patterns responsive to the needs and desires of consumers;

(c) To encourage high levels of ethical conduct for those engaged in the production and distribution of goods and services to consumers;

(d) To assist countries in curbing abusive business practices by all enterprises at the national and international levels which adversely affect consumers;

(e) To facilitate the development of independent consumer groups;

(f) To further international cooperation in the field of consumer protection;

(g) To encourage the development of market conditions which provide consumers with greater choice at lower prices.

II. General principles

2. Governments should develop, strengthen or maintain a strong consumer protection policy, taking into account the guidelines set out below **and international agreements, such as those related to sustainable development.** In so doing, each Government should set its own priorities **and time-bound targets** for the protection of consumers in accordance with the economic, social **and environmental** circumstances of the country and the needs of its population, bearing in mind the costs and benefits of proposed measures.

3. The legitimate needs which the guidelines are intended to meet are the following:

(a) The protection of consumers from hazards to their health and safety;

(b) The promotion and protection of the economic interests of consumers;

(c) Access of consumers to adequate information to enable them to make informed choices according to individual wishes and needs;

(d) Consumer education;

(e) Availability of effective consumer redress;

(f) Freedom to form consumer and other relevant groups or organizations and the opportunity of such organizations to present their views in decision-making processes affecting them;

(g) The promotion of sustainable consumption patterns.

4. Governments should provide or maintain adequate infrastructure to develop, implement and monitor consumer protection policies. Special care should be taken to ensure that measures for consumer protection are implemented for the benefit of all sectors of the population, particularly the rural population.

5. All enterprises should obey the relevant laws and regulations of the countries in which they do business. They should also conform to the appropriate provisions of international standards for consumer protection to which the competent authorities of the country in question have agreed. (Hereinafter references to international standards in the

guidelines should be viewed in the context of this paragraph.)

6. The potential positive role of universities and public and private enterprises in research should be considered when developing consumer protection policies.

III. Guidelines

7. The following guidelines should apply both to home-produced goods and services and to imports.

8. In applying any procedures or regulations for consumer protection, due regard should be given to ensuring that they do not become barriers to international trade and that they are consistent with international trade obligations.

A. Physical safety

9. Governments should adopt or encourage the adoption of appropriate measures, including legal systems, safety regulations, national or international standards, voluntary standards and the maintenance of safety records to ensure that products are safe for either intended or normally foreseeable use.

10. Appropriate policies should ensure that goods produced by manufacturers are safe for either intended or normally foreseeable use. Those responsible for bringing goods to the market, in particular suppliers, exporters, importers, retailers and the like (hereinafter referred to as "distributors"), should ensure that while in their care these goods are not rendered unsafe through improper handling or storage and that while in their care they do not become hazardous through improper handling or storage. Consumers should be instructed in the proper use of goods and should be informed of the risks involved in intended or normally foreseeable use. Vital safety information should be conveyed to consumers by internationally understandable symbols wherever possible.

11. Appropriate policies should ensure that if manufacturers or distributors become aware of unforeseen hazards after products are placed on the market, they should notify the relevant authorities and, as appropriate, the public without delay. Governments should also consider ways of ensuring that consumers are properly informed of such hazards.

12. Governments should, where appropriate, adopt policies under which, if a product is found to be seriously defective and/or to constitute a substantial and severe hazard even when properly used, manufacturers and/or distributors should recall it and replace or modify it, or substitute another product for it; if it is not possible to do this within a reasonable period of time, the consumer should be adequately compensated.

B. Promotion and protection of consumers' economic interests

13. Government policies should seek to enable consumers to obtain optimum benefit from their economic resources. They should also seek to achieve the goals of satisfactory production and performance standards, adequate distribution methods, fair business practices, informative marketing and effective protection against practices which could adversely affect the economic interests of consumers and the exercise of choice in the market-place.

14. Governments should intensify their efforts to prevent practices which are damaging to the economic interests of consumers through ensuring that manufacturers, distributors and others involved in the provision of goods and services adhere to established laws and mandatory standards. Consumer organizations should be encouraged to monitor adverse practices, such as the adulteration of foods, false or misleading claims in marketing and service frauds.

15. Governments should develop, strengthen or maintain, as the case may be, measures relating to the control of restrictive and other abusive business practices which may be harmful to consumers, including means for the enforcement of such measures. In this connection, Governments should be guided by their commitment to the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices adopted by the General Assembly in resolution 35/63 of 5 December 1980.

16. Governments should adopt or maintain policies that make clear the responsibility of the producer to ensure that goods meet reasonable demands of durability, utility and reliability, and are suited to the purpose for which they are intended, and that the seller should see that these requirements are met. Similar policies should apply to the provision of services.

17. Governments should encourage fair and effective competition in order to provide consumers with the greatest range of choice among products and services at the lowest cost.

18. Governments should, where appropriate, see to it that manufacturers and/or retailers ensure adequate availability of reliable after-sales service and spare parts.

19. Consumers should be protected from such contractual abuses as one-sided standard contracts, exclusion of essential rights in contracts, and unconscionable conditions of credit by sellers.

20. Promotional marketing and sales practices should be guided by the principle of fair treatment of consumers and should meet legal requirements. This requires the provision of the information necessary to enable consumers to take informed and independent decisions, as well as measures to ensure that the information provided is accurate.

21. Governments should encourage all concerned to participate in the free flow of accurate information on all aspects of consumer products.

21a. Governments should promote consumer access to non-misleading information about the environmental impact of products and services through such means as eco-labelling schemes, product information hotlines, product profiles, environmental reports by industry, and information centres for consumers. They should also promote internationally recognized symbols for environmental labelling.

21b. Governments should take measures against misleading environmental claims or information in advertising and other marketing activities. The development of advertising codes and standards for the regulation and verification of environmental claims, backed by legal sanctions, should be promoted.

22. Governments should, within their own national context, encourage the formulation and implementation by business, in cooperation with consumer organizations, of codes of marketing and other business practices to ensure adequate consumer protection. Voluntary agreements may also be established jointly by business, consumer organizations and other interested parties. These codes should receive adequate publicity.

23. Governments should regularly review legislation pertaining to weights and measures and assess the adequacy of the machinery for its enforcement.

C. Standards for the safety and quality of consumer goods and services

24. Governments should, as appropriate, formulate or promote the elaboration and implementation of standards, voluntary and other, at the national and international levels for the safety and quality of goods and services and give them appropriate publicity. National standards and regulations for product safety and quality should be reviewed from time to time, in order to ensure that they conform, where possible, to generally accepted international standards.

25. Where a standard lower than the generally accepted international standard is being applied because of local economic conditions, every effort should be made to raise that standard as soon as possible.

26. Governments should encourage and ensure the availability of facilities to test and certify the safety, quality and performance of essential consumer goods and services.

D. Distribution facilities for essential consumer goods and services

27. Governments should, where appropriate, consider:

(a) Adopting or maintaining policies to ensure the efficient distribution of goods and services to consumers; where appropriate, specific policies should be considered to ensure the distribution of essential goods and services where this distribution is endangered, as could be the case particularly in rural areas. Such policies could include assistance for the creation of adequate storage and retail facilities in rural centres, incentives for consumer self-help and better control of the conditions under which essential goods and services are provided in rural areas.

(b) Encouraging the establishment of consumer cooperatives and related trading activities, as well as information about them, especially in rural areas.

27a. Governments should develop policies, including pricing policies, for public and private utilities to ensure the highest efficiency of service delivery and resource conservation.

E. Measures enabling consumers to obtain redress

28. Governments should establish or maintain legal and/or administrative measures to enable consumers or, as appropriate, relevant organizations to obtain redress through formal or informal procedures that are expeditious, fair, inexpensive and accessible. Such procedures should take particular account of the needs of low-income consumers.

29. Governments should encourage all enterprises to resolve consumer disputes in a fair, expeditious and informal manner, and to establish voluntary mechanisms, including advisory services and informal complaints procedures, which can provide assistance to consumers.

30. Information on available redress and other dispute-resolving procedures should be made available to consumers.

F. Education and information programmes

31. Governments should develop or encourage the development of general consumer education and information programmes, **including information on the environmental impacts of consumption patterns and the benefits of changes in consumption,** bearing in mind the cultural traditions of the people concerned. The aim of such programmes should be to enable people to act as discriminating consumers, capable of making an informed choice of goods and services, and conscious of their rights and responsibilities. In developing such programmes, special attention should be given to the needs of disadvantaged consumers, in both rural and urban areas, including low-income consumers and those with low or non-existent literacy levels. **Consumer groups and other organizations of civil society should be involved in these educational efforts, and programmes in developing countries should be supported by international agencies.**

32. Consumer education should, where appropriate, become an integral part of the basic curriculum of the educational system, preferably as a component of existing subjects.

33. Consumer education and information programmes should cover such important aspects of consumer protection as the following:

(a) Health, nutrition, prevention of food-borne diseases and food adulteration;

(b) Product hazards;

(c) Product labelling;

(d) Relevant legislation, how to obtain redress, and agencies and organizations for consumer protection;

(e) Information on weights and measures, prices, quality, credit conditions and availability of basic necessities;

(f) Pollution and environment;

(g) Efficient use of materials, energy and water;

(h) Advertising and marketing.

34. Governments should encourage consumer organizations and other interested groups, including the media, to undertake education and information programmes, particularly for the benefit of low-income consumer groups in rural and urban areas.

35. Business should, where appropriate, undertake or participate in factual and relevant consumer education and information programmes.

36. Bearing in mind the need to reach rural consumers and illiterate consumers, Governments should, as appropriate, develop or encourage the development of consumer information programmes in the mass media.

37. Governments should organize or encourage training programmes for educators, mass media professionals and consumer advisers, to enable them to participate in carrying out consumer information and education programmes.

FF. Promotion of sustainable consumption

FF1. Sustainable consumption means meeting the needs of present and future generations for goods and services in ways that are economically, socially and environmentally sustainable. Since sustainable consumption depends on the availability of environmentally sound goods and services, it is closely tied to sustainable production.

FF2. Responsibility for sustainable consumption is shared by all members and organizations of society, with Government, business, labour organizations, and consumer and environmental organizations playing particularly important roles. Governments have the ultimate responsibility for developing and implementing policies for sustainable consumption and for integrating those policies with other public policies. Government policy-making should be conducted in consultation with business, consumer and environmental organizations, and other concerned groups. Business has a particular responsibility for promoting sustainable consumption through the design, production and distribution of goods and services, as well as a responsibility for their recycling and disposal. Consumer and environmental organizations have a responsibility for promoting public participation and debate on sustainable consumption, for informing consumers, and for working with Government and business towards sustainable consumption.

FF3. Governments, in partnership with business and organizations of civil society, should develop and implement policies that promote sustainable consumption through a mix of policies that could include regulations; economic and social instruments; sectoral policies, such as policies on land use, transport and housing; and the removal of subsidies that promote unsustainable patterns of consumption and production.

FF4. Sustainable consumption policies should promote the eradication of poverty, the satisfaction of the basic human needs of all members of society, and the reduction of inequality within and between countries.

FF5. With due regard to the principle of common but differentiated responsibilities, Governments should promote the design, development and use of products and services that are energy and resource efficient, non-toxic and safe, taking into account their full life cycle, including raw material extraction, production, distribution, use and disposal. Strategies for product improvement include extending product life and facilitating product repair, reuse and recycling.

FF6. Governments should promote innovative efforts by small and medium-sized enterprises to develop and market innovative products and services that promote sustainable consumption. Exports of sustainably produced products from developing countries should be promoted.

FF7. Governments should promote conservation of energy and the transition to renewable energy sources.

FF8. Governments should promote the development and use of national and international environmental standards for products and services, including production processes, with due regard to their impact on market access and competitiveness. Such standards should not result in unjustified restrictions on trade.

FF9. Governments should encourage, develop and support independent environmental testing of products, as well as international cooperation on joint testing, the development of common testing procedures and training (see also para. 43 (b) below).

FF10. Governments should ban or severely restrict environmentally harmful use of substances, such as those listed in the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. New potentially hazardous substances should be tested for their long-term environmental impact prior to distribution. At the same time, Governments should encourage the development of environmentally sound alternatives for such materials, while promoting the use of the least damaging products and processes in the short term. The development of such alternatives can be encouraged through financial and other incentives, and through international cooperation in the development and transfer of clean technologies.

FF11. Governments should promote awareness of the health-related benefits of sustainable consumption and production patterns, taking into account both direct effects on individual health and collective effects through environmental protection.

FF12. Governments, in partnership with other organizations, should encourage the transformation of unsustainable consumption patterns through the development and use of services and new technologies that can meet consumer needs while reducing pollution and depletion of natural resources, including information and communication technologies.

FF13. Governments are encouraged to create or strengthen effective regulatory agencies addressing various aspects of sustainable consumption. They should periodically review the mandate and effectiveness of those agencies to ensure best practices in consumer protection, environmental assessment and law enforcement. Government agencies concerned with different aspects of sustainable consumption should cooperate and exchange experiences to maximize their effectiveness, and should work in cooperation with consumer organizations.

FF14. Governments should consider measures to promote pricing of products and services that takes account of environmental costs and promotes sustainable consumption. Governments should promote comprehensive analysis of all environmental costs and benefits, the internalization of environmental costs and the use of economic instruments, taking into account such principles as the "polluter pays" principle and full cost for resources (also known as the "user pays" principle). Governments should consider differentiated pricing as a way to ensure that disadvantaged people can fulfil their basic needs.

FF15. Governments should make use of a range of economic instruments for promoting sustainable consumption. Taxation systems should be designed and implemented to provide disincentives for unsustainable practices and incentives for more sustainable practices.

FF16. Governments should implement natural resource accounting to reflect the impact of consumption and

production patterns and policies on the environment, and should provide information to consumers on the impact of their consumption patterns. Governments, in cooperation with business and other groups, should develop comparable indicators, methodologies and databases for measuring progress towards sustainable consumption at all levels, including households. This information should be made publicly available.

FF17. Governments should promote sustainable transportation, including through policies to reduce the use of cars in urban centres, reduce unnecessary movement of goods, promote efficient public transportation systems, and promote more energy-efficient and less polluting vehicles. Governments should develop and implement standards for air quality, and should cooperate with the automobile industry in the development and implementation of standards for motor vehicle emissions and fuel economy.

FF18. Governments should develop urban planning and construction policy to ensure sustainable shelter and infrastructure for all, with particular attention to the needs of disadvantaged people. Within the construction sector, Governments should promote the use of environmentally sound building materials and the conservation of land and energy by appropriate design.

FF19. Governments and international agencies should take the lead in introducing sustainable practices in their own operations, in particular through their procurement policies. Government procurement should encourage the development and use of environmentally sound products and services.

FF20. Governments and international organizations should undertake and promote research on consumer behaviour and related environmental damage in order to identify ways to make consumption patterns more sustainable while meeting the basic human needs of all people.

G. Measures relating to specific areas

38. In advancing consumer interests, particularly in developing countries, Governments should, where appropriate, give priority to areas of essential concern for the health of the consumer, such as food, water and pharmaceuticals. Policies should be adopted or maintained for product quality control, adequate and secure distribution facilities, standardized international labelling and information, as well as education and research programmes in these areas. Government guidelines in regard to specific areas should be developed in the context of the provisions of this document.

39. **Food.** When formulating national policies and plans with regard to food, Governments should take into account the need of all consumers for food security and should support and, as far as possible, adopt standards from the Food and Agriculture Organization of the United Nations and the World Health Organization Codex Alimentarius or, in their absence, other generally accepted international food standards. Governments should maintain, develop or improve food safety measures, including, *inter alia*, safety criteria, food standards and dietary requirements and effective monitoring, inspection and evaluation mechanisms.

39a. Governments should promote sustainable agricultural policies and practices, the conservation of biodiversity, and the protection of soil and water through nutrient recycling, recognizing traditional knowledge. Governments should move towards eliminating subsidies and other incentives for unsustainable agricultural practices.

39b. Governments should introduce controls on genetically engineered foods and crop varieties, based on long-term risk assessment, to ensure that they are safe for people and the environment and are compatible with sustainable agriculture. Government controls should encompass both the production process and the final product in an open and transparent fashion, and should ensure that products are labelled taking consumer concerns into account.

40. **Water.** Governments should, within the goals and targets set for the International Drinking Water Supply and Sanitation Decade, formulate, maintain or strengthen national policies to improve the supply, distribution and quality of water for drinking. Due regard should be paid to the choice of appropriate levels of service, quality and technology, the need for education programmes and the importance of community participation.

41. **Pharmaceuticals.** Governments should develop or maintain adequate standards, provisions and appropriate regulatory systems for ensuring the quality and appropriate use of pharmaceuticals through integrated national drug policies which could address, *inter alia*, procurement, distribution, production, licensing arrangements, registration systems and the availability of reliable information on pharmaceuticals. In so doing, Governments should take special account of the work and recommendations of the World Health Organization on pharmaceuticals. For relevant products, the use of that organization's Certification Scheme

on the Quality of Pharmaceutical Products Moving in International Commerce and other international information systems on pharmaceuticals should be encouraged. Measures should also be taken, as appropriate, to promote the use of international non-proprietary names (INNs) for drugs, drawing on the work done by the World Health Organization.

42. In addition to the priority areas indicated above, Governments should adopt appropriate measures in other areas, such as pesticides and chemicals in regard, where relevant, to their use, production and storage, taking into account such relevant health and environmental information as Governments may require producers to provide and include in the labelling of products.

IV. International cooperation

43. Governments should, especially in a regional or subregional context:

(a) Develop, review, maintain or strengthen, as appropriate, mechanisms for the exchange of information on national policies and measures in the field of consumer protection;

(b) Cooperate or encourage cooperation in the implementation of consumer protection policies to achieve greater results within existing resources. Examples of such cooperation could be collaboration in the setting up or joint use of testing facilities, common testing procedures, exchange of consumer information and education programmes, joint training programmes and joint elaboration of regulations;

(c) Cooperate to improve the conditions under which essential goods are offered to consumers, giving due regard to both price and quality. Such cooperation could include joint procurement of essential goods, exchange of information on different procurement possibilities and agreements on regional product specifications.

44. Governments should develop or strengthen information links regarding products which have been banned, withdrawn or severely restricted in order to enable other importing countries to protect themselves adequately against the harmful effects of such products.

45. Governments should work to ensure that the quality of products, and information relating to such products, does not vary from country to country in a way that would have detrimental effects on consumers.

45a. Developed country Governments, in cooperation with business and international organizations, should promote and finance the transfer of environmentally sound technologies and related know-how to developing countries to enable them to meet the needs of consumers in a sustainable manner.

45b. Governments in developing countries, with support from developed countries and international organizations, should cooperate in South-South transfer of environmentally sound technologies and know-how. Governments and international organizations should also identify and develop opportunities for the transfer of environmentally sound technologies and practices developed in developing countries to developed countries, with adequate remuneration.

45c. Governments and business should work together to devise new and innovative mechanisms for financing the transfer of environmentally sound technologies, such as by creating an international fund. Developing countries should also be able to use compulsory licensing systems to gain access to environmentally sound technologies, in a manner consistent with international agreements on intellectual property rights.

46. Governments should work to ensure that policies and measures for consumer protection are implemented with due regard to their not becoming barriers to international trade, and that they are consistent with international trade obligations.